



Docket No.: 231191US26

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 10/698,415
Applicants: Aline ABERGEL
Filing Date: November 3, 2003
For: PACKAGING A PRODUCT AND PACKAGING
METHOD
Group Art Unit: 3721
Examiner: Weeks, G.

SIR:


Attached hereto for filing are the following papers:

Response to Restriction Requirement

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Steven P. Weihrouch

Registration No. 32,829

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

DOCKET NO: 231191US26



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
ALINE ABERGEL : EXAMINER: WEEKS, G.
SERIAL NO: 10/698,415 :
FILED: NOVEMBER 3, 2003 : GROUP ART UNIT: 3721
FOR: PACKAGING A PRODUCT AND :
PACKAGING METHOD :

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action mailed September 1, 2004, Applicant elects the claims of Group I, claims 1-18, with traverse.

The Restriction Requirement is traversed because no serious undue burden is required to examine all of the claims together. It is respectfully submitted that all of the claims relate to packaging of a product such as a cosmetic product, and no undue burden would be required in examining all claims together.

In addition, it is submitted that a number of the statements in the Office Action are not correct. For example, the Office Action indicates that "the process of Group II calls for a first and second opening, whereas the package of Group I is operable with only one opening." This statement is not understood as the first full paragraph of claim 1 (of Group I) recites a first opening and the last paragraph of claim 1 recites a second opening. Accordingly, the assertion that Group II calls for first and second openings but that such features are not present in Group I is in error. In addition, the Office Action refers to Group II omitting the


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Reply to Office Action of September 1, 2004

limitation of an adhesive applied mirror, however, this feature is not required by claim 16, which recites that the articulation includes "one of" a sticker or an adhesive sheet.

Early and favorable action on the merits is respectfully requested. Should the Examiner deem that a personal or telephone conference would be of assistance in advancing this application to issue, he or she is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Steven P. Weihrouch
Attorney of Record
Registration No. 32,829

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

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